



Bureau of Home Furnishings & Thermal Insulation

**RETAILER
ADVISORY**

How California's New Mattress Flammability Standard Affects Retailers

OCTOBER 2004

LICENSEE INFORMATION SHEET

New Law Effective Jan. 1, 2005

Retailers of mattresses, mattress/box springs sets and futons should be aware that California's new flammability standard for these products takes effect Jan. 1, 2005.

- ▶ The new law is called Technical Bulletin 603 (TB 603).
- ▶ TB 603-compliant products offer significantly increased fire safety to your customers.
- ▶ Mattresses, mattress/box springs sets and futons that meet the standard must resist burning intensely after being exposed to an open flame from sources such as matches, lighters and candles.

All mattresses, mattress/box springs sets and futons manufactured – or remanufactured – on or after Jan. 1, 2005, for sale to California consumers must be certified by the manufacturer to comply with TB 603 and be labeled accordingly.

Although the new regulations go into effect Jan. 1, 2005, products that meet the new standard began reaching stores in mid-2004.

Existing Stock, Previously Manufactured Products

Mattresses, mattress/box springs sets and futons manufactured prior to Jan. 1, 2005, don't have to meet the TB 603 standard. The products must meet the flammability and labeling requirements in effect when they were manufactured. They can continue to be sold after Jan. 1, 2005. Please note:

- ▶ Only products that are certified by the manufacturer to meet Technical Bulletin 603 can legally be advertised or described as "meeting TB 603" or "meets California's new mattress fire-safety standard," etc. Existing stock that is not certified as TB 603 compliant cannot be falsely labeled, advertised or represented as meeting TB 603.
- ▶ After Jan. 1, 2005, it will be illegal to sell newly manufactured mattresses, mattress/box springs sets and futons to California consumers if the products are not certified to meet TB 603 and labeled accordingly.

New Law Label for Mattresses, Mattress/Box Springs Sets and Futons

Consumers (and state inspectors) will be looking for a law label that features a Technical Bulletin 603 compliance statement and specifies the date of manufacture. The label is required for products manufactured on or after Jan. 1, 2005. (For products built in 2004 that the manufacturer certifies as meeting TB 603, the new law label is optional.)

- ▶ Only products certified by the manufacturer to pass the Technical Bulletin 603 test can lawfully be labeled: "This product meets the requirements of the California Bureau of Home Furnishings Technical Bulletin 603."
- ▶ Other labeling requirements remain unchanged.
- ▶ The tag must be visible to consumers when they shop.
- ▶ It is illegal to affix a law label to products that do not meet the TB 603 fire-safety standard.

**This product meets the requirements
of the California Bureau of Home
Furnishings Technical Bulletin 603.
Manufactured in:**

Month

Year

**LOOK FOR THIS
INFORMATION ON LABEL**

Questions and Answers About Technical Bulletin 603

Q: How will the Bureau of Home Furnishings and Thermal Insulation (BHFTI) enforce this new law?

A: All businesses that wholesale, import or retail bedding and upholstered furniture to California consumers must be licensed by BHFTI. Beginning in 2005, the BHFTI will inspect retail stores to verify compliance with the Technical Bulletin 603 regulations.

- ▶ Inspectors will check for proper labeling of products covered by the law.
- ▶ Merchandise manufactured after Jan. 1, 2005, must be TB 603-compliant.
- ▶ Business records such as invoices must be available for inspection. Such records may be consulted to verify merchandise was manufactured prior to Jan. 1, 2005.
- ▶ Violations could result in the retailer being cited, fined, ordered to withhold products from sale, and having its license revoked.

Q: Which products are covered by Technical Bulletin 603?

A: The following products must comply with TB 603: Mattress sets (including all-foam types and quilted air beds); adjustable mattresses; crib and bassinet mattresses; day beds; mattress alone (designed to be sold without the foundation); futons, including flip chairs; hybrid flotation and hybrid airbed ensembles; rollaway and hide-a-beds; sofa sleeper mattresses, only if detachable; Murphy wall beds with detachable mattress; trundle beds with detachable mattress; and remanufactured, "renovated" (or recovered) mattresses.

Products that are exempted from TB 603: Camping pads/mats for outdoor use; traditional air beds and bladder water beds without quilting; infant car beds/pads; and sofa sleepers where the mattress is not detachable.

Q: Do products manufactured in other states or imported from other countries have to comply with Technical Bulletin 603?

A: Yes. The law applies to all mattresses, mattress/box springs sets and futons, regardless of where they were manufactured. If the product was manufactured after Jan. 1, 2005, and is being sold in California, it must comply with TB 603.

Q: Does the new law apply to rebuilt or remanufactured mattresses, mattress/box springs sets and futons?

A: Yes. Any used product that is renovated, re-covered, rebuilt or refurbished after January 1, 2005, by replacing all or part of the ticking or internal components (including re-covering of a used mattress) and then sold to a new owner, must comply with Technical Bulletin 603. Such products are considered remanufactured.

- ▶ Such products must also meet existing sanitization and labeling requirements.

Q: Which laws apply to used mattresses, mattress/box springs sets and futons?

A: Used products that have not been renovated, re-covered, rebuilt or refurbished as described above must meet the California flammability and labeling requirements in effect when they were originally manufactured. They must also be sanitized, labeled and sold according to the regulations applicable to used products.